

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.281 OF 1989

Niranjan Apartments Co-op.
Hsg. Society Ltd.

Plaintiffs

versus

The Link Tower Co-op.
Hsg.Soc. Ltd. & others

Defendants

Mr.D.J.Kahanapurkar i/by M.M.Ambalal & Co. for
plaintiffs.

CORAM : A.M.KHANWILKAR, J.

DATE : 24th August 2007

PC :

1. Counsel for the plaintiff submits that in spite of best efforts he is unable to contact the plaintiffs nor received any clear instructions to withdraw the suit. However, in all fairness the learned counsel points out that as per the consent terms filed before the City Civil Court in S.C.Suit No.1330 of 1989, xerox copy whereof are produced, the plaintiffs have undertaken in the consent terms to withdraw the present suit pending before this Court. Presumably, the plaintiffs have not responded to the advocate on

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the assumption that the present suit is already withdrawn. Be that as it may, as the advocate on record for the plaintiff has no instructions, the suit is dismissed for non prosecution.

(A.M.KHANWILKAR, J.)